

Exhibit H

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,)
Plaintiff,)
vs.) No. CV 10-03561 WHA
GOOGLE, INC.,)
Defendant.)
_____)

-- ATTORNEYS' EYES ONLY --

Videotaped deposition of ADITYA KUMAR AGARWAL,
taken at the law offices of King & Spalding LLP,
333 Twin Dolphin Drive, Redwood Shores,
California, commencing at 9:31 a.m.,
Friday, April 8, 2011, before Leslie Rockwood,
RPR, CSR No. 3462.

PAGES 1 - 117

Page 1

1 planning, management reviews, supporting the team on
2 future deals, looking at existing costs, expenses.

3 Q. Have you ever been deposed before?

4 A. No.

5 Q. So let me just very briefly go over the rules 09:33:58
6 of the road. I'm sure your counsel has already explained
7 to you that I will ask you questions. You'll answer.

8 From time to time, he may or may not object.

9 Even if he objects, please answer the question. Please
10 make sure your answers are verbal, "yes" or "no". No 09:34:12
11 nodding or "huh-uh," "uh-huh." It makes it easier for
12 the court reporter.

13 A. Sure.

14 Q. Do you understand that you're here today as a
15 30(b)(6) witness? 09:34:23

16 A. Yes.

17 Q. Could you just explain for the record what
18 your understanding of a 30(b)(6) witness is?

19 A. I'm here to talk about Android finances. And
20 whatever I say, I'll -- it's my understanding of how 09:34:38
21 finances are for Android. And it's going to be all true.

22 MR. BABER: Excuse me. Ms. Rutherford, just
23 before we start, a couple of just very preliminary stuff
24 on the record.

25 The first is that we do make the request 09:34:53

Attorneys' Eyes Only

1 he had with counsel, he can answer it.

2 MS. RUTHERFORD: Okay. All right.

3 Q. What is your response to the question?

4 A. I'm agreeing with Bruce.

5 Q. You don't understand what a 30(b)(6) witness 09:37:20
6 is?

7 A. Not more than what Bruce has --

8 Q. You don't understand that you represent the
9 corporation as a whole?

10 A. I'll only discuss those things which are not 09:37:29
11 discussed with our counsel team.

12 Q. Are you prepared here today to speak to the
13 topics before us, which is Google's revenues related to
14 Android, including the identity of each person with
15 knowledge regarding such revenues? 09:37:49

16 A. Yes, to the best of my understanding.

17 Q. Are you also prepared to speak to how Google
18 accounts for Android-related revenues and expenses?

19 A. Uh-huh. Yes.

20 Q. Are you also prepared to speak to all 09:38:01
21 profits, losses, revenues, expenses and costs associated
22 with Android, including those associated with Android
23 market and advertising on Android-related enabled
24 devices?

25 A. Yes. 09:38:13

Attorneys' Eyes Only

1 Q. Are you also prepared to speak to any
2 financial protections relating to Android?

3 A. Yes.

4 Q. And do you or do you not understand that in
5 your -- when you're here speaking today, you speak on 09:38:23
6 behalf of Google, not yourself?

7 MR. BABER: I object to the form.

8 Q. BY MS. RUTHERFORD: You may answer. It's a
9 "yes" or "no" question.

10 A. I'll wait for an answer from Bruce. 09:38:36

11 MR. BABER: You can answer the question.

12 Q. BY MS. RUTHERFORD: You may answer. He
13 objects, you answer.

14 A. Repeat your question, please.

15 Q. Do you understand that when you respond to 09:38:48
16 these questions, you're speaking on behalf of Google and
17 not yourself?

18 A. To the best of my understanding, I'll state
19 whatever I know about on these topics.

20 Q. It's a "yes" or "no" question. Do you 09:39:04
21 understand that when you speak here today, you're
22 speaking on behalf of the company Google and not
23 yourself?

24 MR. BABER: I object to the form.

25 Q. BY MS. RUTHERFORD: "Yes" or "no"? 09:39:13

ATTORNEYS' EYES ONLY

1 I declare under penalty of perjury
2 under the laws that the foregoing is
3 true and correct.
4

5 Executed on 10-May, 2011,
6 at Mountain View, CA.

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10 Aditya Agarwal.
11 ADITYA KUMAR AGARWAL
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1 STATE OF CALIFORNIA) ss:

2 COUNTY OF MARIN)

3
4 I, LESLIE ROCKWOOD, CSR No. 3462, do hereby
5 certify:

6 That the foregoing deposition testimony was
7 taken before me at the time and place therein set forth
8 and at which time the witness was administered the oath;

9 That testimony of the witness and all
10 objections made by counsel at the time of the examination
11 were recorded stenographically by me, and were thereafter
12 transcribed under my direction and supervision, and that
13 the foregoing pages contain a full, true and accurate
14 record of all proceedings and testimony to the best of my
15 skill and ability.

16 I further certify that I am neither counsel
17 for any party to said action, nor am I related to any
18 party to said action, nor am I in any way interested in
19 the outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name
21 this 12th day of April, 2011.

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LESLIE ROCKWOOD, RPR, CSR NO. 3462